

Drilling concerns: Erie monitoring air, water quality but can't enforce rules

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Elliott Fulton left, and Bruce Chameroy, both Water Plant Operations' employees for the Town of Erie, demonstrate how to use a new device at Thomas Reservoir, Friday, April 06, 2012. The device was purchased for \$50,000 by the town of Erie because citizens were worried about fracking fluids getting into surface and ground water. (RJ Sangosti, The Denver Post)

ERIE — This town is trying a new approach to protect residents riled by oil and gas drilling along Colorado's Front Range: implementing local air- and water-quality rules.

Town officials are asking companies to let them review drilling plans for compatibility with local development. They're demanding new drilling operations capture 100 percent of air emissions. They've begun using a \$50,000 device that tests water for hydrocarbons.

"We have to do everything in our power to protect our residents' health and safety," town administrator A.J. Krieger said.

Federal scientists have found elevated propane and other air contaminants in Erie that may be related to oil and gas operations.

A group of mothers, organized as Erie Rising, asked state health officials to look into their concerns about potential harm to children. Colorado Department of Public Health and Environment officials say they lack the resources to do so.

At least 200 wells have been drilled around Erie, including an eight-well pad about 1,500 feet from a school. More wells are planned near where developers are pursuing housing.

Rather than relying on Colorado Oil and Gas Conservation Commission regulators and the health department, Erie officials say local action is essential to reassure residents and prevent worse air pollution.

Testing along creeks and irrigation ditches and in reservoirs "is going to give us baseline data," water-plant operations chief Bruce Chameroy said. "What we're looking for is changes."

Erie officials last week asked Encana to capture all emissions from four new wells.

"We'll ask that of all applicants," assistant town administrator Fred Diehl said.

Erie is acting while a 12-person state task force explores jurisdictional issues and possible state regulatory tweaks in response to public concerns. State Attorney General John Suthers has said local officials can do inspections but no enforcement.

State officials say they'll hold a series of public forums along the Front Range to provide information on existing COGCC regulations. Residents can submit written questions. The first forum is Wednesday in Greeley.

Colorado leaders developed the state-level regulations aimed at protecting public health while also enabling energy production.

Erie officials say they face intense concerns expressed by residents. Drilling is their top priority.

"We know we don't have the authority to stop it. Even our residents who are most concerned recognize the need for energy and private-property rights. We just want it done in a safe way," Krieger said.

State task-force talk has encompassed emerging new arrangements using local inspectors at well sites. But Erie is wary of "unfunded mandates" and can't afford to hire chemists and petroleum engineers to conduct proper inspections, Krieger said.

National Oceanic and Atmospheric Administration scientist Steven Brown, analyzing air data from an observation tower east of Erie, found elevated ozone-producing contaminants with propane levels 10 times higher than in Los Angeles.

Erie Rising members asked state officials to investigate. "As parents, we're concerned for the health and welfare of our children with drilling occurring so close to where they spend the majority of their day," spokeswoman Jen Palazzolo said.

The state health department is not looking into the matter. In an e-mail, agency spokesman Mark Salley said Erie officials had not requested a study. He later said residents may have asked for a study but it was unclear from their e-mail whether they were residents.

More research must be done to determine the potential health effects of oil and gas drilling, Salley wrote. The state health department lacks resources to do a study in Erie, he said, but will participate in a Colorado State University study.

Erie officials said they did seek state help understanding what the air data mean, Diehl said. "If they didn't get the message, give them our number and have them call."

Encana is committed to exceeding a COGCC requirement that companies capture 95 percent of emissions, public and community relations adviser Wendy Wiedenbeck said. But capturing 100 percent of emissions "is not feasible."

"Erie has requested that on a location-by-location basis, we utilize the best available technology in high-density areas. We have communicated our continued commitment to this approach."

At the same time, she said, "it's important that we respect the role that the COGCC plays in regulating the work we do."

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